

**Public Hearing at Town Hall  
201 Delaware Street – New Castle  
Tuesday, May 27, 2014 - 7:00 p.m.**

Call to order 7:01 p.m.

Roll Call

Councilperson Megginson (Acting as Chair)

Councilperson Cochran

Council President Ratchford (Absent)

Councilperson Petty

Councilperson Vannucci

Also present:

Donald A. Reese, Mayor

Janet Carlin, City Treasurer

Daniel Losco, City Solicitor

William Barthel, City Administrator

Councilperson Megginson, acting as Chair for the meeting, stated that the purpose of this Public Hearing was to gather public feedback concerning Ordinance 494 which will prohibit the climbing of all dikes, including Buttonwood, Broad Marsh, Gambacorta and Army Creek; and the establishment of a fine as part of that enforcement.

City Administrator, William Barthel read Ordinance 494 noting that there had been a few changes in wording that Council had requested. Wording regarding “removing rocks” and the phrase “unprotected areas” had been added to **§131-1. Trespassing on unprotected areas of City dikes and removing rocks**, as well as adding “park recreation areas” to the areas where people were allowed to walk.

Councilperson Megginson stated that the reason this Ordinance has been proposed is because of all the work that has been done on the Dikes. The City has been in touch with the Conservation District and the Army Corps of Engineers and now that the Dikes are completed there should be no plants on the water side of the Dikes with roots longer than 4” and also no climbing on the unprotected areas of the Dikes.

It has been noticed that on Rt. 9 there have been people parking and climbing the Dikes to get to the beach to fish. With the City being responsible for any repairs to the Dikes, Council feels there needs to be legislation in place to stop people from climbing or damaging the dikes.

There were no questions from the floor.

Mayor Reese asked if the area where the construction vehicles are parking could be used as a parking area.

Councilperson Megginson said that the construction equipment is gone from that location and the City Administrator has a meeting with DelDOT to see if that could be used as a parking lot.

City Administrator William Barthel stated that the City had approached DelDOT, the Conservation District had suggested it was logical to maintain this area as parking area. DelDOT said they would look at leaving this as a parking lot, but there would need to be a full traffic study on the area. We are meeting with DelDOT to get this going as soon as possible. With Damage being done to the Dikes we don't have the luxury of time.

Resident Dan Shine stated that he is struck with enumerating the four names over and over again; noting that as soon as you specifically name each Dike, if you have a new Dike built or change a name the Ordinance would be unenforceable for the new area. A solution would be to enumerate the Dikes only once, then say all the Dikes including these, or any successive Dikes that may be come to be named.

Resident Ron Gillespie 24 West 4th Street wanted to know why there was a No Parking component to the Ordinance. He asked if it was to only deter people from climbing the Dikes or was it a safety issue.

Councilperson Megginson stated that it is a safety hazard to park in that area, there is a dangerous curve and with cars parked on both sides of the road it is a safety concern.

Councilperson Vannucci added that when you get lots of kids going fishing, they are happy, and jump out of the cars, with cars driving up Rout 9 coming around the curve, it causes a very dangerous situation.

Mr. Gillespie asked since people do want to fish there, will the people be able to use the parking lot that was built for the construction project.

Councilperson Megginson said that is the intention and the City is working with DelDOT to hopefully expedite the approval.

There being no further questions or comments Councilperson Megginson asked for a motion to adjourn.

**Motion to adjourn and move to Special Council Meeting was made by Councilperson Petty, and seconded by Councilperson Cochran and was passed unanimously**

**Respectfully Submitted,**

**Kim Burgmuller  
Council Secretary**